

REMARKS

For the reasons set forth in detail below, applicant submits that the present application, including each of the pending claims is in condition for allowance. In the non-final Office Action mailed on April 3, 2006, the Examiner rejected claims 1-22, 24-34 and 36-46. In particular:

specification is objected to;

claims 24, 34 and 36 are objected to;

claims 1-2, 6-7, 9-14, 17, 20-22, 24-25, 29, 32-34, 36-39, 42, and 45-46 are rejected under 35 U.S.C. § 102(b); and

claims 3-5, 8, 15-16, 18-19, 26-28, 30-31, 40-41, and 43-44 are rejected under 35 U.S.C. § 103(a).

In this response specification and claims 1, 11, 22, 24, 34, 36 are amended, claims 10, 21, 33 and 46 are cancelled and, therefore, claims 1-9, 11-20, 22, 24-32, 34, 36-45 are pending.

Amendment of Specification

The Examiner has objected to the "CROSS-REFERENCE TO RELATED APPLICATION(s)" section of the Specification for informalities. Hereby, this section of the Specification is amended to replace the attorney docket numbers with the application serial numbers.

Objections to Claims 24, 34 and 36

The Examiner objected to claims 24, 34 and 36 for including typographical errors. Claims 24, 34 and 36 are hereby amended to include the Examiner's suggested corrections.

Rejection Under 35 U.S.C. § 102(b) of Claims 1-2, 6-7, 9-14, 17, 20-22, 24-25, 29, 32-34, 36-39, 42, and 45-46

In the Office Action claims 1-2, 6-7, 9-14, 17, 20-22, 24-25, 29, 32-34, 36-39, 42, and 45-46 are rejected under 35 U.S.C. § 102(b) as being anticipated by Tanabe et al., US Pat. No. 5,177,736 ("Tanabe"). Claims 10, 21, 33 and 46 are hereby cancelled.

The currently amended independent claims 1, 11, 22, and 34, among other things, are directed to a switch that includes a crosspoint switch element having at least one more output port than the output ports of the switch itself. Furthermore, in claim 1, the address of data received by the switch is a virtual address and, in claims 11, 22, and 34, a virtual address indicates that the communication is administrative.

In Tanabe, which discloses a packet switch, neither the data address is virtual nor does a virtual address indicate that the communication is administrative. The Examiner asserts that Tanabe, in column 5, lines 43-45, discloses the address of the received data being a logical address (*virtual address*). This assertion is not true. Neither in the referenced passage, nor anywhere else does Tanabe mention "logical address." The VCI of Tanabe is not a virtual address either.

For a claim to be rejected based on anticipation under 35 U.S.C. §102(a), (b), and (e), MPEP 2131 requires that: "the reference must teach every element of the claim." As elaborated above, Tanabe does not teach or suggest what is recited in the independent claims 1, 11, 22, and 34 and, therefore, a *prima facie* case of anticipation under Section 102 has not been established with respect to these claims and, therefore, the undersigned requests the withdrawal of the Section 102 rejection of these claims.

Claims 2-9, 12-20, 24-32, 36-45 depend from independent claims 1, 11, 22, and 34 and accordingly include the features of these independent claims. For reasons discussed above and for the additional features of these claims a *prima facie* case of anticipation

under Section 102 has not been established with respect to these dependent claims and accordingly the undersigned requests their allowance.

Rejection Under 35 U.S.C. § 103(a) of Claims 3-5, 8, 15-16, 18-19, 26-28, 30-31, 40-41, and 43-44

The Examiner rejected claims 3-5, 8, 15-16, 18-19, 26-28, 30-31, 40-41, and 43-44 under 35 U.S.C. § 103(a) as being unpatentable over Tanabe in view of Heil (US Pat. No. 6,944,152).

A *prima facie* case of obviousness under 35 U.S.C. § 103 requires, *inter alia*, a suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the references or to combine reference teachings (MPEP 2142). However, as described above, the main reference, Tanabe, does not disclose the elements of the rejected claims alleged and therefore cannot establish, either alone or with other references, a *prima facie* case of obviousness under 35 U.S.C. § 103. Accordingly, the undersigned requests the withdrawal of Section 103 rejection of claims 3-5, 8, 15-16, 18-19, 26-28, 30-31, 40-41, and 43-44.

Additionally, these rejected claims depend from the above mentioned allowable claims 1, 11, 22, and 34 and accordingly include the features of these independent claims. Therefore, the undersigned requests their allowance.

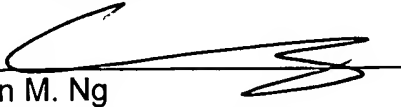
Conclusion

In view of the foregoing, all of the claims pending in the application are in condition for allowance and, therefore, a Notice of Allowance is respectfully requested. If the Examiner has any questions or believes a telephone conference would expedite prosecution of this application, the Examiner is encouraged to call the undersigned at (206) 359-6488.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 50-0665, under Order No. 030048037US from which the undersigned is authorized to draw.

Dated: 6/26/06

Respectfully submitted,

By 

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